

No. 431.

Motion Papers for P. E.

Office Supreme Court, U. S.
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Filed ^{IN THE} Nov. 15, 1897.
Supreme Court of the United States.

OCTOBER TERM, 1897.

No. 431.

THE NORTH AMERICAN COMMERCIAL COMPANY,
PLAINTIFF IN ERROR,

against

THE UNITED STATES, DEFENDANT IN ERROR.

Statement on Behalf of the Plaintiff in Error in Relation to the Application of the Defendant for an Order that the Whole Record be Sent to this Court.

The counsel for the plaintiff in error, while not agreeing to the accuracy in all respects of the statement made by the Solicitor General of the questions involved in this case, do not, however, deem it important, for the purposes of the present application, to make any corrected statement, inasmuch as they concede that the grounds and reasons stated by the learned Solicitor General in support of his application, on pages 17 to 19, inclusive, are amply sufficient.

Moreover, the plaintiff in error is itself desirous that a

final determination of the questions involved in the controversy should be determined at as early a period as practicable, to the end that its accounts with the Government may be settled and the balance found to be actually due immediately paid.

Should the Court grant the application, it is hoped that the case will not be set down for argument on any day prior to February 1st. Mr. Carter's engagements are such that it would be somewhat embarrassing to him to be required to argue it on an earlier day.

JAMES C. CARTER,
Of Counsel for Plaintiff in Error.

